

Application No.: 10/693,228

Docket No.: 30835/306083

REMARKS

Each of claims 1-8, 10-12, 15-17, 19 and 20 remains pending and at issue in this application, with claims 1, 15, and 17 being independent claims. With this response, Applicants amend each of the independent claims to clarify the scope of the claimed subject matter. Each of the amendments finds support in the application as originally filed and, accordingly, the amendments add no new matter. In view of the amendments above and the remarks below, Applicants respectfully request reconsideration and favorable action in this case.

35 U.S.C. § 103 Rejections

Each of claims 1-8, 10-12, 15-17, 19, and 20 stands rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over U.S. Patent Application Publication No. 2003/0028610 of Pearson in view of one or more of U.S. Patent Application Publication No. 2004/0039781 of La Vallee et al. (hereinafter "La Vallee"); U.S. Patent Application Publication No. 2003/0050976 of Block et al. (hereinafter "Block"); and U.S. Patent Application Publication No. 2004/0243672 of Markki et al. (hereinafter "Markki").

Independent Claim 1

Independent claim 1 stands rejected as allegedly unpatentable over Pearson in view of La Vallee and Block. Independent claim 1 is directed to a computer storage medium comprising computer executable code for creating a graphical user interface presented on a display in communication with a processor associated with a group interaction application for facilitating file sharing among a first member of a group and at least one other member of the group over a network, and recites code for displaying, in part, a selectable indicator for visually presenting a group member list to the first user, the group member list including ***an indication field of a role for each of the members in the list*** wherein the list of group members also includes an indication reflecting connection information for each group member, and a second control located in the second display area, ***the second control including a drop-***

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down menu selectable by the first user for defining one of a plurality of roles for the at least one other group member.

- I. **Pearson, La Vallee, and Block, individually or in combination, fail to disclose or suggest a group list including an indication field of a role for each of the members on the list.**

No combination of Pearson, La Vallee, and Block, individually or in any combination, can render claim 1 unpatentable. In rejecting claim 1, the Office action relies upon La Vallee as disclosing a selectable indicator for visually presenting a group member list to the first user, the group member list including ***an indication field of a role for each of the members in the list*** wherein the list of group members also includes an indication reflecting connection information for each group member. In particular, the Office action relies on Figs. 4-7 and paragraphs [0027] and [0037]. However, neither the figures nor the cited paragraphs disclose or suggest that a group member list ***includes an indication field of a role for each of the members in the list***. For example, paragraph [0027] describes a message sent (by the server) when a user logs on. The message includes the log-on time of the user and may include an indication of whether the client is open or closed, the external and internal IP address of the client, and a session identifier. However, this information does not include a “role for each of the members on the list,” as claim 1 recites.

Meanwhile, paragraph [0037] describes an access control list for each group, but does not disclose or suggest that for each member of the list there is an indication field of a role for each of the members in the list. The Office action states:

“La Vallee clearly teaches presenting a group member list so that a user, such as owner or master, can select another member to invite in sharing content. More specifically, when a user, as owner or master, invites a group member or invitee, the group member or invitee may be selected from the member’s roster, which is a list of group members.”

Office action at page 15. However, while the Office action alleges that it is “implied” that the member’s roster or the list of group members are to be visually displayed, merely displaying the list of group members is not the same as displaying the list of

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group members with ***an indication field of a role for each of the members*** in the list, as the claim recites. Further, it appears that there would be no reason to even display the member list, because: (1) a member roster or list of group members would necessarily ***not include*** the user to be added (if it did there would not be a reason to add the user) and (2) there are many mechanisms for sending invitations to a user to add the user to a service, which mechanisms ***do not require the display of any list*** (e.g., sending an invitation to an email address), much less the display of a list of group members that the invited users would not appear on in the first place.

Further still, La Vallee does not disclose that the members roster includes any information about ***a role for each of the members*** in the list, much less that such information is ever displayed. In fact, paragraph [0037], if it implies anything, implies that such information is ***not*** displayed. Paragraph [0037] states explicitly that if the member seeking to invite another user is an owner of the folder in question (block 402), the member may invite other users and the identification of the member is retrieved (block 403). That is, ***if the member is not an owner***, or does not otherwise have the privilege to invite other users, they cannot invite other members and ***there would be no reason to display a member roster or group member list***. If the member is an owner, or otherwise has the privilege to invite other users, then even assuming that a list were displayed (as opposed to other invitation mechanisms), ***there would be no reason to display the role*** of each of the users on the list.

Moreover, the claim also recites “wherein the group member list also includes an indication reflecting connection information for each group member.” The inclusion of the word “also,” added to claim 1 by the instant amendment, clarifies what Applicants submit was previously clear: the ***indication field of a role*** for each of the members in the list is ***not the same as*** the ***indication reflecting connection information*** for each group member. While paragraph [0027] of La Vallee discloses “presence information,” La Vallee neither discloses or suggests that an indication field of a role for each of the members in the list is ever displayed, and the instant

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amendment makes clear that the “presence information” of La Vallee cannot somehow be interpreted as being the same as the recited “role.”

II. Modifying Pearson and La Vallee to include the teachings of Block would destroy the intended operation of the system of La Vallee.

The Office action admits that Pearson in view of La Vallee fails to disclose **a second control including a drop-down menu selectable by the first user for defining one of a plurality of roles for the at least one other group member**, and Applicants respectfully submit that a person of ordinary skill in the art could not modify the combination of Pearson and La Vallee to include the allegedly disclosed element of Block, without destroying the intended operation of the system described by at least La Vallee. The background section of La Vallee describes the desirability of “a file sharing system that would simplify the process of sharing files among groups of users.” Paragraph [0004]. To that end, “each client has a client component that participates in the **election** of a master client computer system (“master”) that then coordinates the peer-to-peer transfer of content” (emphasis added). Paragraph [0023]. La Vallee goes on to disclose one embodiment in which “the algorithm may select a qualified client whose member has been logged-on the longest as the master” (La Vallee at paragraph [0027]) and another embodiment in which “the algorithm may select the master based on an alphabetical order of the names of the members.” *Id.* In yet another embodiment, La Vallee describes “the master may be selected in a centralized manner, for example, by the server, which sends messages to the clients of logged-on members informing them of the master.” *Id.* At no point does La Vallee disclose or suggest anything other than the automated selection and/or election of a master. Thus, **“facilitating an access change for a particular user by means of a dropdown menu of access level values,”** as suggested in the Office action (Office action at page 6) **would be contrary to the express teachings of La Vallee.**

For at least all of the reasons described above, Applicants respectfully submit that none of Pearson, La Vallee, and Block, individually or in any combination, can

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operate to render claim 1 unpatentable. Accordingly, Applicants request reconsideration and withdrawal of this rejection.

Independent Claim 15

Independent claim 15 stands rejected as allegedly unpatentable over Pearson in view of La Vallee, Block, and Markki. To the extent that the Examiner alleges that “the subject matter recited in Claims 15 and 16 corresponds to the subject matter recited in Claims 1 and 2, respectively” (Office action at page 8), Applicants respectfully submit that each of claims 15 and 16 is patentable over any of Pearson, La Vallee, and Block, individually or in any combination, for at least the reasons described above with respect to independent claim 1. Accordingly, Applicants request reconsideration and withdrawal of this rejection.

Independent Claim 17

Independent claim 17 stands rejected as allegedly unpatentable over Pearson in view of La Vallee. Independent claim 17 is directed to a method of forming a group space to enable interaction between a first user and at least one other user over a network and recites, in part, transmitting from a first user a request to join the group by sending a communication over the network to a computing device used by the at least one other user to initiate a group communication session between the first user and the at least one other user; and receiving **from the computing device used by the at least one other user** a response to the invitation request, the response include a unique numeric identifier associated with the at least one other user.

III. Pearson and La Vallee, individually or combined, fail to disclose or suggest the response to an invitation recited by the amended claim.

Neither Pearson nor La Vallee, individually or in any combination, can render claim 17 unpatentable because Pear and La Vallee, considered separately or together, fail to disclose or suggest all of the elements recited by claim 17. In particular, neither Pearson nor La Vallee discloses or suggests **receiving from a computing device used by the at least one other user** a response to an invitation

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request. The Office action alleges that La Vallee discloses such a response in paragraph [0027]. However, to the extent La Vallee discloses the response recited by claim 17, La Vallee discloses that the response originates at the server, and not at the computing device used by the at least one other user. In particular, paragraph [0027] describes:

When a member logs on, **the server sends a message** to the clients of all other logged-on members. The message includes the logon time of that member. The message may also include an indication of whether the member's client is open or closed, the external and internal IP address of the client, and a session identifier as described below in more detail. This information is referred to as "presence information" since it is provided to clients when a member logs on or an invitee accepts an invitation. In addition, **the server** sends to the logging-on client messages indicating the logon time of the other members who are currently logged-on

(emphasis added).

By contrast, the claimed system does not recite a server and, in fact, recites that the response to the invitation is received **from the computing device used by the at least one other user**. This provides "a server-less shared space that enables secure interactions among defined members in a group" (instant application at paragraph [0032]) which, in turn, allows a desired group of users to interact with each other in a secured environment that does not rely on an intermediate server. At least because neither Pearson nor La Vallee discloses or suggests all the elements of the method described by claim 17, Applicants submit that neither Pearson nor La Vallee, individually or in combination, can render claim 17 unpatentable. Accordingly, Applicants request reconsideration and withdrawal of this rejection.

Dependent Claims

Each of dependent claims 2-8, 10-12, 16, 19, and 20 depends, directly or indirectly, from one of independent claims 1, 15, and 17. As such, Applicants submit that each of the dependent claims is patentable over any of Pearson, La Vallee, and Block, individually or in any combination, for at least the reasons described above

**Reply Under 37 CFR 1.116
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with respect to the independent claim from which it depends. Accordingly,
Applicants request reconsideration and withdrawal of these rejections.

CONCLUSION

Accordingly, all remaining claims are in condition for allowance for the reasons provided above. Although Applicants believe that no fees or petitions are due, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 13-2855 of Marshall, Gerstein & Borun, LLP under Order No. 30835/306083. Should the Examiner wish to discuss any of the foregoing comments or any claim amendments deemed needed to result in allowance, Applicants kindly request the Examiner to contact the undersigned by telephone at the number given below.

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Respectfully submitted,

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